

VILLAGE OF CANASTOTA

MINUTES

November 4, 2013

Mayor DeShaw called the meeting to order at 7:15 p.m. The Pledge of Allegiance was recited.

PRESENT: Mayor Carla DeShaw; Deputy Mayor Scott Rapasadi; Trustees Bill Haddad and Margaret Peters; Village Administrator Larry Carpenter; DPW Foreman TJ Tornatore; Village Mechanic Mark Maxwell; Code Enforcement Officer Mike Adsit; Historian David Sadler; Recreation Board Member Chrissy Palamara; Justine Mulford, Joyce Leinberger and Michele Ginger; and Bruce Burke of PAC 99.

ABSENT: Trustee Rosanne Warner.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to approve the minutes of the previous meeting. **Discussion:** Administrator Carpenter advised the Board that at the last meeting he erroneously advised them that the 91 Public Improvement Bond was for Bruno Road - it is not. It was for sewer separation. Under Mayor's Comments, Trustee Rapasadi does not remember the new business in the Chatterbox being discussed. Mayor DeShaw noted that she did talk about it. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the following budget transfer: transfer \$7.00 from 19904.01 (Contingency) to 80204.01 (Planning Board Contractual). (Note: this transfer is required to cover the recent training expense for Planning Board Members.) Passed 4 to 0.

Motion by Trustee Peters, seconded by Trustee Haddad, to approve the following budget modification: Increase 2089.01 (Recreation) by \$1,022.50; increase 73104.01.146 (Zumba) by \$715.75. (Note: these modifications are to accommodate the revenue and expenses incurred for the 4th session of Zumba.) **Discussion:** Trustee Peters asked where this money is coming from. Clerk/Treasurer Williams advised that they are the fees paid by the participants in the class. Trustee Peters asked what we are doing with the rest of the money. Clerk/Treasurer Williams explained that our arrangement with the instructor is that she will receive 70% of the fees and we will retain the balance of 30%. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve the General Fund Abstract in the amount of \$32,222.20. **Discussion:** Trustee Peters asked if we already approved the payments for the hotel for TJ. Clerk/Treasurer Williams confirmed that we did and that all payments will show up on the abstract. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to approve the Sewer Fund Abstract in the amount of \$311,137.84. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve the WWTP Capital Upgrade Abstract in the amount of \$26,164.92. **Discussion:** Trustee Peters asked why we were paying Edward Joy, a subcontractor on the project. Administrator Carpenter advised that we cut checks based on the approval of the USDA and EFC. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to approve payments totaling \$2,047.97 from the General fund to MBI for health insurance debit card transactions from September 1, 2013 - September 30, 2013. Passed 4 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to approve the ACH transfer of \$6,727.50 from the Sewer Fund (97107.02 Interest on Debt Service) to USDA Rural Development for payment of interest owed on the 1999 Rural Development Phase II Bond. **Discussion:** Administrator Carpenter advised that this Bond is for sewer separation. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize a wire transfer to be sent to BNY Mellon from the Sewer Fund for payment of the sum of \$100,000.00 (97106.02 Debt Service) and \$4,000.00 (97107.02 Interest on Debt Service) owed on the 1987 Public Improvement Bond. (Note: This is the final payment on this bond.) **Discussion:** Administrator Carpenter noted that this Bond was for plant upgrades. Passed 4 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to approve the wire transfer in the amount of \$1,000.00 sent to Hasler, Inc. from the General Fund 16204.01.59 Postage) for postage. Passed 4 to 0.

Joyce Leinberger and Michele Ginger gave a presentation on their proposal to hold an event entitled CNY Mud Challenge on Village property in the Business Park. Joyce explained that she has started an event planning company and wants to use property in the Business Park for a mud challenge. She explained that this would be a family-friendly course. Her company will carry liability insurance for the event and participants will have to sign a waiver. She is looking for corporate sponsors. Joyce met with the Recreation Board last week about the proposal. Recreation Board Member Chrissy Palamara advised that there were three (3) members available and all in favor of the event. Joyce is working with Roberts Street PTO to help them raise money through the mud challenge for a new playground. Trustee Rapasadi asked Joyce if this would be a joint venture with the Recreation Board or her fund raiser. Joyce explained that this is a for-profit business venture for her. Trustee Rapasadi asked what the Village would receive in return for the use of our property. Joyce stated that the event could bring a lot of exposure to the Village with a few hundred participants coming in for the event. Trustee Peters asked what happens to the property after the event - how does it get returned to the way it was before the event. Joyce has money in her budget to put the property back the way it was. Recreation Board Member Chrissy Palamara advised that Joyce's proposal is that anything that gets moved will be replaced. Joyce explained that it is her intention to work with the Fire Department and new local businesses (Erie Canal Brewery and the Cazenovia Winery) in an effort to showcase the businesses and provide them with an opportunity to have people sample their products. Mayor asked Joyce for an explanation of the "donation from town" in the budget. Joyce explained that "town" actually means Village - she has not been to the Town to ask for money. The Mayor advised that she has done some research on this type of event and in her research there has been a fee back to the Village for use of the land, DPW, Police and Fire Departments. Joyce is not planning on using our DPW now - she has dumpsters. Also, she intends to pay off-duty police herself for security if we let her. The Mayor will need to investigate this with our Police Department

and the union. Trustee Peters wants to know about how much it will cost for the water to be used to make the mud. Trustee Haddad asked if there will be any security at the event - he is concerned about residential neighbors - suggested some fencing between the course and neighbors. Joyce noted that there are trees between the course and neighbors creating a natural barrier. Trustee Haddad is not worried about noise, he is worried about someone going through onto someone's property. Joyce advised that everything will be all done at 5:00 p.m. - no music or anything after that. Trustee Haddad asked if there were adequate parking in the area. Joyce would like to have a local not-for-profit like Boy Scouts handle the parking as a fund raiser for them. The Mayor would like to see some professional structure with parking and security. She is also concerned about businesses in the park - they need to be consulted to make sure that we are not interfering with any business. Mayor DeShaw advised that when we consulted our insurance agent, they advised that a minimum of \$3 million liability insurance coverage should be required. Joyce was asked about the budget for the event. She is anticipating approximately \$43,800 in expenses with a profit of \$59,700. This is her business and how she supports her family and needs to make money on the event. She is hopeful that she will make enough money where she will be able to give some of it back. Mayor DeShaw has experience with event planning and recognizes that the profit that is anticipated is not a lot of money for something like this when you take into consideration that it will take a year's worth of effort to put together. Mayor DeShaw thinks that it is a great event and wants to make sure that the expenses that the Village will incur are built in to the event budget. The Board discussed with Joyce the services from the Village that may be required as part of the event such as DPW, Police and Fire assistance for things like security and traffic control. Trustee Rapasadi cautioned Joyce about anticipating large participation numbers in the early years of the event, drawing on his experience with the Running Club and the Nate the Great Race. Joyce is confident that with the assistance of social media she will be able to reach her goal. Administrator Carpenter asked about a medical tent. Joyce will reach out as the time gets closer. The Mayor wants the Board to look over the information that Joyce provided. The Mayor will speak with Chief Zophy. At this time, the information is deemed proprietary and the Trustees have been asked not to share the information with anyone and, as such, the information is not attached to these minutes. Mayor DeShaw would like the Trustees to email comments to her by Wednesday.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize the purchase of a John Deere 544K Loader from Five Star Equipment, Inc., OGS Contract #22063, together with the options listed on the attached quote from Five Star Equipment, Inc., dated July 23, 2013, in the amount of \$122,232.42, to be leased in arrears through First Niagara Leasing, Inc., for a term of 5 years, at the rate of 3.195%, with annual payments of \$26,838.79 and a total cost, including interest, of \$134,193.95. (Note: The first lease payment will be due in the 2014-2015 fiscal year.) **Discussion:** Mayor DeShaw noted that we have had some lengthy discussions about this purchase. Mark Maxwell and Foreman Tornatore are here tonight if there are any other questions. Administrator Carpenter reviewed with the Board the financing for the purchase. We anticipate that the revenue from the sale of the two (2) loaders that we currently own will cover at least the first payment. Trustee Peters asked about the anticipated revenue from the sale. Administrator Carpenter is anticipating about \$40,000 from the sale. He read aloud the recommendation regarding the purchase and sale from Doug Fusillo of CCI. The Board discussed putting a reserve on the auction of \$30,000

- \$35,000. Mark Maxwell explained where he came up with the figures that he gave the board for expected auction price for the existing loaders. Trustee Peters suggested that Five Star would do an appraisal on the existing loaders at no cost as long as we purchase the new piece of equipment from them. The Mayor asked if there are any further questions about the purchase of the new loader. The Mayor is comfortable with how we are purchasing and budgeting this loader. Mayor DeShaw advised that she has asked Administrator Carpenter to take the purchase of this loader into consideration when preparing the DPW budget for next year. Our repair expense should go down in the next budget. Mayor DeShaw thanked Foreman Tornatore and Mark for their work on this project. Passed 4 to 0.

Motion by Trustee Peters, seconded by Trustee Haddad, to modify the budget as follows: increase 54104.01 (Sidewalks) by \$42,107.52. (Note: This increase is to accommodate the costs incurred to date for the Main Street Sidewalk Project.) Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to authorize payment to Sgarlata Concrete, Inc., in the amount of \$86,276.78, from the General Fund 54104.01 (Sidewalks), for work completed to date on the Main Street Sidewalk Project. **Discussion:** Trustee Peters commented that Sgarlata Concrete has done an excellent job and asked if we had started billing yet. Administrator Carpenter confirmed that we have billed everyone already and have begun receiving payments. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to authorize Administrator Larry Carpenter as an additional signatory, along with Clerk/Treasurer Catherine E. Williams and Mayor Carla M. DeShaw, on all Village accounts. **Discussion:** Mayor DeShaw advised the Board that Clerk/Treasurer Williams will be out of the office for 6-8 weeks. Trustee Haddad asked if the signature authority were permanent or temporary. Clerk/Treasurer Williams is suggesting that it be permanent - the Board agrees. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to accept the Independent Accountants' Report on Agreed-Upon Procedures from Gustafson & Co., dated October 8, 2013, as corrected, concerning the Justice Court records, and to forward a copy of said Report to the NYS Office of Court Administration as required under Section 2019-a of the Uniform Justice Court Act. **Discussion:** Trustee Peters noted that there is a correction on page 2 - "Town" should be changed to "Village". Trustees Haddad and Peters would like the motion changed to say "as corrected". Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to approve payment in the sum of \$715.75 to Julie Reksc from 73104.01.146 (Zumba) for the 4th session of Zumba. Passed 4 to 0.

Correspondence.

- None

Administrator.

Administrator Carpenter reminded the Board that the Village is taking over the Tree Lighting and 911 Memorial celebrations this year and he would like suggestions from the Board for both of these events. Administrator Carpenter would also like to do a house decorating contest and will work with local businesses for prizes. Mayor DeShaw thanked Administrator Carpenter and thanked Code Officer Adsit for all of his work on the sidewalk project.

Mayor.

Mayor DeShaw reported that she had a great meeting with the Greek yogurt people. They were here to do some more work and looking at the building and had their Cheese Master with them. She noted that it was a great team and they have been so nice to work with. They commented to her how easy it is to work with the Village and have told their city friends how easy it is to work with us. The Mayor advised that on Thursday the purchasers had received everything that they needed to complete the Purchase Offer and they are expecting a closing as soon as the lawyers get the paperwork together. Trustee Peters asked if they had a site plan yet. The Mayor advised that they are not at that stage yet - they first need to complete the sale. Trustee Peters asked if we would have to contact anyone about our treatment plant. The Mayor has, but it is premature yet. They are talking about pretreatment options. Mayor DeShaw encouraged everyone to stop in and say hello to the new businesses in downtown - The Red Onion on the corner of Peterboro and Center, The Refreshed Home next door to that, and the Bee Man a few more doors down.

The Mayor gave the Board an update on the Wanderers Rest matter. This has gone to the Zoning Board. A request for a GML review was sent to the County and the County agreed that the proposed use was not a permitted use. The parties are adamant that they want to go into the property in the Industrial Park. The Board discussed the Wanderers Rest matter. In the future, Mayor DeShaw would like the Board to receive a packet of information on matters like this.

Mayor DeShaw updated the Board on the dangerous dog law - revisions to this law were received today. We will get the final copy from the attorney to the Trustees for them to take a look at. The Mayor would like to put it on the agenda for our next meeting. Mayor DeShaw asked that any questions be sent to Administrator Carpenter via email or in writing so that we can get those to the attorney for answers.

Trustee Comments.

Trustee Rapasadi asked Administrator Carpenter if the City of Utica received any grant money to do their sidewalks. Administrator Carpenter will check on this.

Trustee Haddad asked why the garbage did not get picked up. Administrator Carpenter reported that we made a call to the company at about 3:30 today and received no response. Trustee Haddad reminded the Board that Scouting for Food will be picking up the filled grocery bags this Saturday

voting is tomorrow and the Veterans' Day ceremonies will be held at Clark Park Monday at 10:00 a.m. Mayor DeShaw noted that we did not receive any communication on this from either the VFW or American Legion. Trustee Haddad spoke about inspections of non-owner occupied houses - it is his recommendation that all should be inspected. This can protect renters and landlords. Trustee Haddad would like to work on this. Code Officer Adsit explained that he is only required to inspect multi-family residences when there is a common area. Any other multi-family where there is no common area an inspection is not required. Trustee Haddad also suggested some form of rental registration. The residences would be inspected at least once a year, when tenants are moving out and when ownership of the residence changes hands. The Mayor would like us to do some finalization of the paperwork and see what was done on this in 2009. A packet will be put together for the Board.

Trustee Peters is looking for October financial statements. Clerk/Treasurer Williams will have those reports by Wednesday. Trustee Peters asked if everything at the DPW is ready to go for snow. Foreman Tornatore advised that they have almost everything done. Trustee Peters asked about the building on East Center Street. Code Officer Adsit advised that it is down and there is no visible sign of contamination. Trustee Peters asked about sidewalk forms. She wants to know how many we have and where they are. Foreman Tornatore advised that they are now all up in the hanger and they have been cleaned and are ready for next year. Trustee Peters has contacted Liz Garafalo at the school about the senior computer program. Ms. Garafalo is waiting on the new principal. Mayor DeShaw thanked Trustee Peters for her work on this project.

Delegations.

None.

Motion by Trustee Haddad, seconded by Trustee Peters, to adjourn at 8:41 p.m. Passed 4 to 0.

Respectfully submitted,

Catherine E. Williams/s

Catherine E. Williams
Clerk/Treasurer